

Over the time I've been following environmental law, there's been a dramatic increase in the amount of scholarship in the field. Back in 2011, I did a search of the Westlaw "Journals and Law Reviews" database for ("*environmental regulation*" "*air pollution*" "*water pollution*" "*endangered species*") with date restrictions. Although this search is only an approximation, I figured that it should capture a high proportion of environmental articles and not too many others. (As I explain below, that may be less true in recent years.) I thought it was high time to extend the coverage to the present. For those who don't want to dig through the figures, here is the upshot:

- (1) Environmental law scholarship grew explosively from 1980 to 2000. The number of articles went from 165 to 9058 in twenty years — that's two orders of magnitude.
- (2) The number of environmental law articles has continued to grow since 1975, though not as explosively as it did during the early years.
- (3) The number of publications on climate change and renewable energy now rivals that of other environmental topics combined.

And now for the actual numbers. As #1 on this list indicates, the trend from about when I graduated from law school to the turn of the century was especially striking:

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|-----------|------|
| 1975-1980 | 181 |
| 1981-1985 | 754 |
| 1986-1990 | 1735 |
| 1991-1995 | 5401 |
| 1996-2000 | 6704 |

I should note that this trend may be exaggerated because of changes in Westlaw's coverage of journals, so this should be taken with a grain of salt. [Thanks to Berkeley reference librarian Dean Rowan for pointing this out to me.]

Since Westlaw will only count up to 10,000 documents for a search, the post-2000 data is broken into four-year periods:

2000-2003 **6017**

2004-2007 **6831**

2008-2011. **6808**

2012-2015 **6445**

2016-2018 **4482** (3 years)

The number of articles using these terms *seems* to have leveled off in this century and even declined slightly. (But not much of a decline, if you convert 2016-2018 to be a six-year period, it comes out to about 9000). One reason for a leveling off may be that the number of law professors has probably declined – after the financial crisis, many schools stopped hiring and attrition shrunk faculty ranks. And of course the environmental law field may have matured and settled down after the first few decades.

But in fact, the leveling=off effect seems to be largely the product of a shift of scholarly interest toward climate-related issues. To check into possible shifts in focal points for scholarship, I did a search for (“renewable energy” “climate change”) over five-year periods starting in 1999 (so I could have four complete periods.) Here’s what I found:

1999-2003 **1334**

2004-2008 **3409**

2009-2013 **7489**

2014-2018 **6967**

To compare these numbers with the previous set, I searched for the earlier terms for the period 2014-2018, and got 6708. I then searched the same time period for articles that used *either* set of terms from 2014-2018, and there were over 10,000, which indicates that there had to be quite a few articles that contained one set of terms but not the other. .

To get more comparability over time, I ran the combined search for both sets of terms from 2001-2002 (2970 hits) and from 2017-2018 (3656 hits), a 25% increase. On the other hand, there were only 2025 hits for the earlier set of search terms in 2017-2018 (that is, not including “energy” or “climate change”). That means that the earlier set of search terms is now getting only a little more than half of all the relevant articles.

If you got tired of looking at these numbers – and believe me, they were more tiresome to compile! – here’s the upshot: After rapid growth in the early decades, the number of articles on conventional environmental topics has leveled off or declined, but the newer subjects of climate change and renewable energy have blossomed.

